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REVIEWS.

The Rise of Religious Liberty in America. By SANFORD H. COBB
New York : The Macmillan Co. \$4.

THE task which the author undertakes is a new one. Others have confined their attention to the development of religious liberty in some definite locality—Massachusetts, Rhode Island, Maryland, Virginia, for example. Mr. Cobb surveys the entire field, so far as our own country is concerned, and makes good his claim that the principle of liberty on which the religious institutions and life in the United States are founded today “is peculiarly an American production.”

This new principle he states as follows : “Neither should the church dictate to the state, as having peremptory spiritual jurisdiction over things civil ; nor should the state interfere with the church in its freedom of creed or of worship, in its exercise of ordination and spiritual discipline ; nor yet again should the individual be subjected to any influence from the civil government toward the formation or refusal of religious opinions, or as regards his conduct thereunder, unless such conduct should endanger the moral order or safety of society.”

But, before entering on his main purpose, and in order to bring into clearer view the rightfulness of his claim that this principle “is peculiarly an American production,” Mr. Cobb gives a glance backward to the state of things under the old-world idea as to the relation of church and state during the Christian centuries down to the earlier period of the Reformation, when Protestant and Romanist alike would as soon think of assailing any other principle of government as that of the right of the civil magistrate to propagate religion by the sword. Of course, here and there voices were raised in opposition to this avowed right, asserting the right of religious liberty, and in his reference to these the author very justly gives the place of honor to the once generally despised Anabaptists of the Reformation period. “Their doctrine,” he says, “is one of the most remarkable things which appeared in that wonderful age ;” and he adds : “There can be but one mind as to the grandeur of the doctrine thus propounded by the Anabaptists, nor as to the immense blessings which it finally conferred upon the world.”

Singularly enough, however, the author passes over the influence of the Anabaptists in England. Indeed, he says: "In England the only voice lifted for freedom of conscience and worship was that of Brownists and Barrowists." It is a well-known fact, however, that the Anabaptists, whose influence in behalf of religious liberty on the European continent the author clearly recognizes, came over into England and propagated their views there before the time of Brown and Barrow, while it is an equally well-known fact that neither Brown nor Barrow, nor those who bore their names, could in any way be regarded as the champions of religious liberty.

When American colonization began, church and state were agreed in the fundamental principle that the prosperity of both depended upon a union more or less vital. Very naturally, the colonists generally were in sympathy with this principle. In Virginia and the Carolinas the Church of England was established at the beginning, and remained the state church until the Revolution, displaying at times strong and bitter feeling against all forms of dissent. In the New England colonies, with the exception of Rhode Island, the Congregational churches were established by law, and there was more or less proscription of other forms of worship. In New York and New Jersey an unsuccessful attempt was made to establish the Church of England on a Dutch foundation. Maryland began with religious toleration under Roman Catholic auspices, but at length established the Church of England; while Georgia, which commenced with liberty of worship, came, shortly before the Revolution, to a like state of things religiously as Maryland. In Rhode Island, Pennsylvania, and Delaware no church was ever established; but Rhode Island, from the beginning of its history, took a unique position with reference to religious liberty. Mr. Cobb says: "Rhode Island, from the beginning, imposed no religious restrictions whatever upon its citizenship, and allowed no question by the civil law as to the belief or unbelief of anyone . . . There never has been a more perfect equality of religious beliefs before the law than was enacted in Rhode Island at its very beginning." The slow and hesitating way in which the principle of religious liberty was accepted by the colonists is exhibited at length in the body of Mr. Cobb's work. There was conflict strong and long continued. The stress of the conflict, as the author shows, was in Massachusetts, Virginia, Maryland, and New York, especially in the first two. The part which the Baptists played in the struggle in these two colonies, however, is very inadequately presented. Yet this is not surprising when

one turns to the "authorities" which the author had before him in the preparation of his work, a list of which he gives on pp. xvii-xx. In this list no mention is made of such works as Isaac Backus's *History of the Baptists of New England*, Hovey's *Life and Times of Backus*, and Ford's *New England's Struggles for Religious Liberty*. In fact, even the name of Isaac Backus, who was for many years the agent of the Baptists of Massachusetts and Rhode Island in their efforts to secure religious liberty at the time of the Revolution and subsequently, is not mentioned in Mr. Cobb's work. With Stillman, of Boston; Smith, of Haverhill; Montague, of Sunderland; Meacham, of Enfield; Wightman, of Connecticut, Isaac Backus was appointed by the Warren Baptist Association in 1770 a committee on "grievances," and this committee addressed the general court of Massachusetts with reference to the ill-treatment to which the Baptists were subjected. In 1772 the Warren Association made Backus the chairman of another committee on "grievances," a position which he continued to hold for ten years. In an address to the public, prepared by Backus, the case of the Baptists was forcibly stated. In 1774 Backus addressed a letter to Samuel Adams, in which he protested against the treatment which the Baptists were receiving. It was Backus who, not long after, carried to the general court the case of the Baptists of Royalston. By request of the Warren Association, Backus attended the meeting of the Continental Congress in Philadelphia in 1774, in order to call the attention of that body to the importance of securing religious liberty. At the Provincial Congress, which met at Cambridge in December, 1774, and at the general court of Massachusetts, which met at Watertown, September 20, 1775, Backus was present with memorials in behalf of his brethren. In 1777 Backus prepared an address to the people of New England in which the various points concerning religious liberty were discussed. In 1778 he presented another address on the same subject. In a word, he was indefatigable in his efforts to promote the great object in which he and his brethren were so deeply interested, efforts which ended only with his death. It would seem impossible, therefore, in any attempt to give a history of the struggle for religious liberty in this country, not to mention the services of Isaac Backus. The failure of the author to do justice to Backus doubtless arises in part from the fact that he confines his attention so largely to the beginnings of the struggle, and accordingly pays scant attention to the development of religious liberty in the eighteenth century.

On the other hand, the influence of Jonathan Edwards in striking

the "staggering blow which made ecclesiastical establishments impossible in America" seems to us greatly exaggerated. In smiting the Half-way Covenant and throwing the weight of his great influence against the evils it had wrought, Edwards unquestionably helped in bringing about the conditions which made the efforts of Backus and his associates in New England successful. But when the utmost has been said, the work of Edwards in establishing religious liberty was slight in comparison with that of Backus.

Aside from a few such defects as have been mentioned, Mr. Cobb's work is one of great merit, and it will receive grateful recognition as an exceedingly able and valuable history of the rise of religious liberty in this country.

HENRY S. BURRAGE.

PORTLAND, ME.

Crime in its Relations to Social Progress. By A. C. Hall. New York: The Macmillan Co., 1902. Pp. 427.

A RATHER startling thesis is announced: Society makes crime, and increase of crimes is an evidence of advancing civilization. But what the author actually seeks to prove in this very instructive and encouraging exposition is the less sensational and more correct proposition: Society, with an advancing and more refined moral standard of conduct, raises its demands on the individual, and brings a larger number of antisocial actions under the definitions and sanctions of penal law. Crime is properly defined (p. 10) as "any act or omission to act, punished by society as a wrong against itself." When the author confuses the word "crime" with "definition" or "category" of crime, he confuses the issue. Thus (p. 6): "the production of crime and criminals is one of the saving processes of nature;" and (p. 2): "the nation that persists in choosing its crimes wrongly is on the highroad to degeneration and decay;" and (p. 126): "Now we shall study the growth of crime and its usefulness in relation to social progress."

To the ordinary definition of crime already cited the author adds (p. 19) still another factor: "Unless it actually *succeeds* in punishing, often enough to make the average citizen believe offenders likely to be brought to justice, the act is not yet a crime." Selling liquor in Portland, Me., is not a crime.

The evidence on which the argument rests is historical, and the book is a very clear and strong survey of the efforts of society to attain clearer notions of the requirements of general welfare and to enforce obedience to the law of welfare.